

### **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of July 1, 2004.

Reconsideration of the Application is requested.

#### **The Office Action**

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,473,199 issued to Gilman et al. (Gilman).

Claims 2-15 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16-22 stand as allowed by the Examiner.

#### **The Art Rejections**

Applicants appreciate the Examiner's allowance of claims 16-22, and that the Examiner has stated that claims 2-15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2 and 10 have been rewritten by amendment herein to be in independent form. The remaining claims 3-9 and 11-15 depend from claim 2. It should be noted, however, that claim 12 has been amended to depend from claim 11 rather than claim 9 which should not adversely affect its patentability.

In rejecting claim 1, the Examiner referred to the code values 46 of Gilman as "a patch code 46 printed on the page to provide additional data useful to the color calibration." Applicants respectfully traverse the Examiner's interpretation with regard to the code values 46 of Gilman as described in col. 4, lines 25-27. Reference numeral 46 in Figure 3 of Gilman refers to a step in a method "for determining print aim densities vs. code values" as described in col. 4, lines 21-22. The source of the code values in Gilman is not identified in the description of Figure 3. However, the code values in question are likely those described with reference to Figure 4 of Gilman as described in col. 4, lines 32-42. The input code values which are transformed to aim output code values are derived from a test chart 50 rather than a printed color patch or target (lines 33-38). For example, Figure 4 shows a Macbeth ColorChecker 50 as input to a digital camera, also further described in col. 6, lines 49-56.

However, Gilman does disclose printing a characterization target 28 which is then measured with a spectrometer 34 to obtain spectral data for each of the patches, which might be loosely interpreted as providing data useful to the color calibration (col. 4, lines 10-14). On the other hand, the object of the present application is to provide job identification data, rather than spectral data, so that an operator is relieved of the obligation to keep track of all details (page 1, line 33 – page 2, line 2). Software can then be used to track a calibration state without human intervention (page 2, lines 25-27). Thus, the patch codes 30 of the present application, as shown in Figures 2-4, and described from page 4, line 12 through page 5, line 26, provide such data as, for example, a job ID 40, a date 42, a page number 44, a target type 46, etc.

In view of the above, claim 1 of the present application has been amended herein to more clearly claim a limitation wherein the patch code includes job identification data useful to tracking a calibration state in accordance with the object of the present application. Neither Gilman nor any of the known prior art teach printing patch codes to provide job identification data useful to tracking a calibration state. It is therefore submitted that claim 1, as amended, is now in condition for allowance.

Claims 1-2 remain in this application.

**CONCLUSION**

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-22) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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